

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB0466
By Atchley

AN ACT to amend Tennessee Code Annotated, Section 68-11-106, relative to the licensing and regulation of certain agencies to provide home health care services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-106, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding the provisions of this section or any other law to the contrary, a senior citizens home assistance services agency which:

(1) was chartered by the state of Tennessee on or before July 27, 1970;

(2) has a mission of:

(A) assisting elderly and handicapped persons to have the best quality of life possible, usually in their own homes, by providing personal care/bathing, homemaking, companionship, and transportation; and

(B) providing training, employment and benefits to persons with few job skills;

(3) is designated by the Internal Revenue Service as a 501(c)(3), not-for-profit agency; and

(4) applied for a certificate of need as a home health agency on 12/9/92

but was denied a certificate of need on 3/24/93;

need not receive a grant of a certificate of need in order to provide home health aide services as an adjunct to its existing homemaker services; however, such agency must obtain from the department a license to lawfully begin to conduct, operate or maintain a home health agency and must, within ninety (90) days from the effective date of this act, establish to the satisfaction of the board for licensing health care facilities that it is entitled to the exemption under the criteria set forth within this subsection.

SECTION 2. The provision of this act shall only apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>Not Less Than</u>	<u>Not More Than</u>
335,000	336,000
85,800	86,100
50,300	50,600
51,000	51,300
33,000	33,500
29,100	29,400
30,500	30,800
13,680	13,750
17,000	17,200
26,100	26,400

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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